

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**CLARISSA AND ROBERT HERNANDEZ, on
behalf of themselves and others similarly
situated,
SHANNON WOODWORTH, on behalf of
herself and others similarly situated,
DAVID GALLEGOS, on behalf of himself
and others similarly situated,**

Plaintiffs,

Civil Action No. 2:20 - CV - 00942 - JB- GBW

v.

**MICHELLE LUJAN GRISHAM,
Individually, Acting Under the Color of Law,
RYAN STEWARD,
Individually, Acting Under the Color of Law,
KATHYLEEN M. KUNKEL,
Individually, Acting Under the Color of Law,
and the STATE OF NEW MEXICO,**

Defendants.

**DECLARATION OF SHANNON WOODWORTH IN SUPPORT OF APPLICATIONS FOR A
TEMPORARY RESTRAINING ORDER**

I, Shannon Woodworth, declare:

1. I am a resident of Hobbs, Lea County, New Mexico
2. I live in the Hobbs Municipal School District.
3. August 12, 2020 was supposed to be the first day of school for Hobbs Municipal Schools.
4. My husband, Michael works in the oil field, and is often gone for weeks at a time and his current employment has him separated from our family until December.

EXHIBIT C

5. I am the mother of a 13-year-old child with special needs. She has an individual education program (IEP) that requires a dedicated team of educated and credentialed staff working one-on-one and to be available to her throughout the entire school day.
6. Since school was shut down, she has not been provided with many of her services that are required by her IEP.
7. It is mandated that my daughter receive a free appropriate public education (FAPE) – this is the law.
8. Since the schools were shut down in March of this year, the online classes provided by the school district that were supposed to take the place of my daughter's usual classes (in person) are ineffectual, and trigger my daughter's anxiety rooted from past traumatic experiences.
9. The school anticipates students will sit in front of a computer from 8:30 in the morning to 3:30 in the afternoon. This is unreasonable for students like my daughter who have an emotional disability that require in person instruction, that allows the student to make decisions.
10. I requested printed materials in lieu of the online instruction, which the school district conveyed it could supply. However, the materials furnished to me were merely print outs of the questions from the online instruction.
11. Due to my daughter's emotional disability she needs a specially trained team to help her meet the requirements of the IEPs.
12. My Daughter is not being provided an education by the school.
13. The regression of my daughter, as a special education student is very real and very worrisome. Under normal in person instruction with her individualized education plan,

my daughter was receiving straight A's. Under the online instruction that has been implemented, my daughter is now failing in her courses.

14. Children with disabilities futures are always precarious due to the nature of the disability, but now, with the lack of education and no team support, my daughter will be at an even greater disadvantage than before. This is unacceptable.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and is executed this 18th day of September 2020, in Hobbs, New Mexico.



Shannon Woodworth